

E. BRYAN WILSON
Acting United States Attorney

KAYLA DOYLE
Special Assistant U.S. Attorney
Federal Building & U.S. Courthouse
222 West Seventh Avenue, #9, Room 253
Anchorage, Alaska 99513-7567
Phone: (907) 271-5071
Fax: (907) 271-1500
Email: kayla.doyle@usdoj.gov

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,	) No. 3:21-cr-00035-TMB-MMS
)
Plaintiff,	) <u>COUNT 1:</u>
	) INTERFERENCE WITH COMMERCE
vs.	) BY ROBBERY
	) Vio. of 18 U.S.C. § 1951(a)
DWAYNE ASWAD AZI SMITH, JR.,)
and JOVANTE DEVON MCCORD,	) <u>COUNT 2:</u>
	) POSSESSION OF A FIREARM IN
Defendants.	) FURTHERANCE OF CRIME OF
	) VIOLENCE
	) Vio. of 18 U.S.C. § 924(c)(1)(A)(ii)
)
	) <u>COUNT 3:</u>
	) FELON IN POSSESSION OF A
	) FIREARM
	) Vio. of 18 U.S.C. §§ 922(g)(1) and
	) 924(a)(2)
)
	) <u>CRIMINAL FORFEITURE</u>
	) <u>ALLEGATION:</u>
	) 18 U.S.C. § 924(d)(1) and 28 U.S.C.
	) § 2461(c)

INDICTMENT

The Grand Jury charges that:

COUNT 1

On or about July 13, 2020, within the District of Alaska, the defendants, DWAYNE ASWAD AZI SMITH, JR., and JOVANTE DEVON MCCORD, did unlawfully and knowingly obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, as that term is defined in 18 U.S.C. § 1951(b)(1), to wit: conducted an armed robbery of the Tesoro gas station located at 6740 Lake Otis Parkway.

All of which is in violation of 18 U.S.C. § 1951(a).

COUNT 2

On or about July 13, 2020, within the District of Alaska, the defendants, DWAYNE ASWAD AZI SMITH, JR., and JOVANTE DEVON MCCORD, aiding and abetting each other, did knowingly possess and brandish a firearm, to wit: a Glock, Model 42, .380 caliber semi-automatic pistol, in furtherance of the crime of violence alleged in Count 1 of this Indictment, and did use and brandish said firearm during and in relation to this crime.

All of which is in violation of 18 U.S.C. § 924(c)(1)(A)(ii).

COUNT 3

On or about July 13, 2020, within the District of Alaska, the defendants, DWAYNE ASWAD AZI SMITH, JR., and JOVANTE DEVON MCCORD, aiding and abetting each

other, each knowing he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce, a firearm, to wit: a Glock, Model 42, .380 caliber semi-automatic pistol.

Prior Convictions – Dwayne Aswad Azi Smith, Jr.

<u>Conviction Date</u>	<u>Offense</u>	<u>Court</u>	<u>Case No.</u>
June 29, 2018	Robbery 2	Alaska Superior Court	3AN-18-02113CR
July 26, 2019	Assault 3	Alaska Superior Court	3AN-19-01809CR

Prior Conviction – Jovante Devon McCord

<u>Conviction Date</u>	<u>Offense</u>	<u>Court</u>	<u>Case No.</u>
August 7, 2015	Robbery 1	Alaska Superior Court	3AN-14-11194CR

All of which is in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

CRIMINAL FORFEITURE ALLEGATION

Upon conviction of Count 3 of this Indictment, defendants DWAYNE ASWAD AZI SMITH, JR., and JOVANTE DEVON MCCORD, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), any firearms involved in the commission of the offense, including, but not limited to:

1. One Glock, Model 42, .380 caliber semi-automatic pistol, serial number ABCC290.

//

//

All pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and Federal Rule of Criminal Procedure 32.2.

A TRUE BILL.

s/ Grand Jury Foreperson
GRAND JURY FOREPERSON

s/ Kayla Doyle
KAYLA DOYLE
Special Assistant U.S. Attorney
United States of America

s/ E. Bryan Wilson
E. BRYAN WILSON
Acting United States Attorney
United States of America

DATE: March 17, 2021